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**From:** Franks, Martin [Franks.Martin@epa.gov]  
**Sent:** 9/14/2020 6:02:14 PM  
**To:** McGill, Thomas [McGill.Thomas@epa.gov]  
**CC:** Laycock, Kelly [Laycock.Kelly@epa.gov]; Calli, Rosemary [Calli.Rosemary@epa.gov]  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4  
**Attachments:** FR 2020-19881\_2647049 (5).docx

Hi Tom

This is for final approval. With all the back and forth, you should see it one last time.

Please review the attached OFR Word file with edits to your document. Upon your review, if you agree with their edits, please reply by noting that the changes are "approved." If you have any concerns, please use the comment feature in the OFR Word file.

Do not use the "accept" nor "reject" feature for any of the changes, please leave the redline/strikeout if it's apparent in the OFR Word file.

Thanks,

**Martin V. Franks**

**Federal Register Liaison  
Regulatory Management Division  
Environmental Protection Agency  
Washington, DC 20460  
Tel. 202-564-1172**

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**From:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Sent:** Monday, September 14, 2020 1:09 PM  
**To:** Franks, Martin <Franks.Martin@epa.gov>  
**Cc:** EPA-FederalRegisterLiaison <EPA-FederalRegisterLiaison@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4

That's great news, thanks Martin!

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**From:** Franks, Martin <Franks.Martin@epa.gov>  
**Sent:** Monday, September 14, 2020 1:01 PM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Cc:** EPA-FederalRegisterLiaison <EPA-FederalRegisterLiaison@epa.gov>  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4

Tom

Good news.

After further FR legal review, they decided to let this document publish as a Notice. I FR will schedule it shortly.

No need to send anything further.

Thanks, Martin

**Martin V. Franks**

**Federal Register Liaison  
Regulatory Management Division  
Environmental Protection Agency  
Washington, DC 20460  
Tel. 202-564-1172**

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**From:** McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>  
**Sent:** Monday, September 14, 2020 12:33 PM  
**To:** Franks, Martin <[Franks.Martin@epa.gov](mailto:Franks.Martin@epa.gov)>  
**Cc:** EPA-FederalRegisterLiaison <[EPA-FederalRegisterLiaison@epa.gov](mailto:EPA-FederalRegisterLiaison@epa.gov)>  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4

Also, is a NPRM the same as Advanced Notice of Proposed Rulemaking, per the discussion you and I had on Friday as a back-up plan?

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**From:** Franks, Martin <[Franks.Martin@epa.gov](mailto:Franks.Martin@epa.gov)>  
**Sent:** Monday, September 14, 2020 12:30 PM  
**To:** McGill, Thomas <[McGill.Thomas@epa.gov](mailto:McGill.Thomas@epa.gov)>  
**Cc:** EPA-FederalRegisterLiaison <[EPA-FederalRegisterLiaison@epa.gov](mailto:EPA-FederalRegisterLiaison@epa.gov)>; Franks, Martin <[Franks.Martin@epa.gov](mailto:Franks.Martin@epa.gov)>  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4

Tom

Per OFR legal you must accept their edits to publish as an NPRM.

FR Legal stated:

"1 CFR 5.9(c) states that the proposed rule category contains "documents that suggest changes to regulations in the Code of Federal Regulations." Since they are giving the public notice that they may affect the CFR (and in their explanation they agree that this could lead to rulemaking), I agree that it's a proposed rule category. The reference to "notice" in the statute isn't enough to make this a notice. "

**Martin V. Franks**

**Federal Register Liaison**

**Regulatory Management Division**  
**Environmental Protection Agency**  
**Washington, DC 20460**  
**Tel. 202-564-1172**

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**From:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Sent:** Monday, September 14, 2020 12:23 PM  
**To:** Franks, Martin <Franks.Martin@epa.gov>  
**Subject:** FW: FR 2020-19881 FRL-10014-54-Region 4

Good afternoon Martin! I need to decide this afternoon whether to proceed with purchasing a newspaper ad that will run concurrent with the Federal Register publication. Do you know when we should expect to hear back from the OFR on this? I recognize that you don't know this with certainty, but I'd appreciate your perspective based on your experience in how long OFR generally takes to respond. Thanks! Tom

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**From:** EPA-FederalRegisterLiaison <EPA-FederalRegisterLiaison@epa.gov>  
**Sent:** Friday, September 11, 2020 2:01 PM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Cc:** Drake, Julie <Drake.Julie@epa.gov>; EPA-FederalRegisterLiaison <EPA-FederalRegisterLiaison@epa.gov>; Franks, Martin <Franks.Martin@epa.gov>  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4

Your document and comment was forwarded to OFR legal by FR editor. Awaiting response.

**Martin V. Franks**

**Federal Register Liaison**  
**Regulatory Management Division**  
**Environmental Protection Agency**  
**Washington, DC 20460**  
**Tel. 202-564-1172**

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**From:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Sent:** Thursday, September 10, 2020 4:14 PM  
**To:** Franks, Martin <Franks.Martin@epa.gov>  
**Cc:** Drake, Julie <Drake.Julie@epa.gov>; EPA-FederalRegisterLiaison <EPA-FederalRegisterLiaison@epa.gov>  
**Subject:** RE: FR 2020-19881 FRL-10014-54-Region 4

Martin – Please see the attached document, which provides a response to OFR's comment. Thanks, Tom

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**From:** Franks, Martin <Franks.Martin@epa.gov>  
**Sent:** Thursday, September 10, 2020 2:52 PM  
**To:** McGill, Thomas <McGill.Thomas@epa.gov>  
**Cc:** Drake, Julie <Drake.Julie@epa.gov>; Franks, Martin <Franks.Martin@epa.gov>; EPA-FederalRegisterLiaison <EPA-FederalRegisterLiaison@epa.gov>  
**Subject:** FR 2020-19881 FRL-10014-54-Region 4

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Thanks,

**Martin V. Franks**

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